

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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GARDEN CITY BOXING CLUB, INC.

Plaintiff

07 CV 8751

-AGAINST-

LA COCINA RESTAURANT, INC.
d/b/a LA COCINA RESTAURANT
and ROSA A. MEJIA

AFFIDAVIT FOR JUDGMENT
BY DEFAULT

Defendant

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STATE OF NEW YORK)
) ss:
COUNTY OF NEW YORK)

Paul J. Hooten, being duly sworn, deposes and says:

I am a member of the Bar of this Court and am associated with the
firm of Paul J. Hooten & Associates, attorney for plaintiff in the above-entitled action and I am
familiar with all the facts and circumstances in this action.

1. I make this affidavit pursuant to Rule 55.1 and 55.2(a) of the Civil
Rules for the Southern District of New York, in support of plaintiffs application for the entry of a
default judgment against defendant.

2. This is an action to recover the unauthorized exhibition of the telecast of the November
27, 2004, boxing match between Erik Morales and Marco Antonio Barrera III by the defendant.
See attached summons and complaint attached hereto as Exhibit "A".

3. This action was commenced on October 10, 2007 by the filing of the summons and
complaint. A copy of the summons and complaint was served on the defendants La Cocina
Restaurant Inc. d/b/a La Cocina Restaurant on October 29, 2007 by service on "Jane" Maria,

Managing Agent and Rosa A. Mejia by service on “Jane” Maria, co-worker. The defendants have not answered the complaint and the time for the defendants to answer the complaint has expired.

4. This action seeks judgment in the amount of \$20,000.00, plus interest at 9% from November 27, 2004, amounting to \$6,450.00, plus costs and disbursements of this action in the amount of \$470.00 amounting in all to \$26,920.00.

WHEREFORE, plaintiff requests the entry of Default and the entry of the annexed Judgment against defendant.

Dated: Mt. Sinai, New York
June 24, 2008

/s/ Paul J. Hooten
Paul J. Hooten (PJH9510)

Sworn to before me this
24th day of June, 2008

/s/ Cheryl E. Lorefice
Notary Public

Cheryl E. Lorefice
Notary Public, State of New York
No. 4999823
Qualified in Suffolk County
Commission Expires August 3, 2010

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STATEMENT OF DAMAGES

Defendant
-----X

Amount of judgment \$20,000.00

Interest at 9% from November 27, 2004 0through June, 2008 \$ 6,450.00

Costs and Disbursements:

Clerk's fee \$ 350.00

Process Server fee for service \$ 120.00

Total as of April 2008..... \$26,920.00

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CERTIFICATE OF SERVICE

Defendant

-----X

I certify that a copy of the Notice of Motion for Default Judgment, Default Judgment, Affidavit for Judgment by Default, Statement of Damages was sent via U.S. Postal Service, postage prepaid, first class mail, addressed to the following on June 24, 2008:

La Cocina Restaurant, Inc.
d/b/a La Cocina Restaurant
12 East Kingsbridge Road
Bronx, NY 10468

Rosa A. Mejia
12 East Kingsbridge Road
Bronx, NY 10468

By: /s/ Paul J. Hooten
Paul J. Hooten, Esquire
Attorney for Plaintiff
5505 Nesconset Highway, Suite 203
Mt. Sinai, NY 11766
Telephone (631) 331-0547